



THE FOX THEATRE

August 11, 2010

VIA HAND DELIVERY

Mr. Joe Patten

Dear Joe:

The purpose of this letter is to confirm the conversations that we have had over the past several weeks concerning your health and your future living arrangements at the Fox Theatre.

As we have discussed, we are very concerned about your medical condition, and we continue to hope and pray that your health will improve. As good stewards of the Fox Theatre, however, our ongoing concerns for your health and our hopes for your full recovery must be weighed against our obligations to the Theatre and how your condition impacts the Theatre.

As you know, the original basis for the lease, permitting you to live in the Theatre, was for the security of the Fox. However, your present condition makes it clear that you are no longer in a position to fulfill any obligation in that regard. Any additional occupancy for whatever reason, only works adversely to our security.

Moreover, your deteriorating health has placed an increasing burden on the Theatre's staff, who quite naturally, are concerned about you and want to check in and provide you with any needed assistance. To burden the staff with this future expectation cannot be presumed or continued, as it is both unfair to them and affects the Theatre's operations. We have discussed this and all agree that this situation will change.

In sum, we are concerned that your medical condition precludes you from living alone, taking care of yourself in your apartment, and providing for the security of the Theatre. As a consequence, we must insist that, prior to returning to your apartment, your physician provide the Theatre with written confirmation that you can live independently in your apartment. We must also insist that, prior to providing this confirmation, your physician speak with me, reviewing his decision and his understanding of the physical limitations of your apartment.

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Otherwise Joe, you genuinely need to move forward in acquiring an assisted living residence, as we have been urging, in the spirit of doing what's best for you and the Fox Theatre. We have committed to holding the apartment for your casual visits. But if it would regrettably become necessary to exercise section 9 1(b) of the lease in order to protect your health and the Fox Theatre's security, we would then need to reorder our priorities and utilize the space for sorely needed expansion.

Looking forward to hearing back from you soon so we can proceed to work with you.

Sincerely,

A handwritten signature in black ink that reads "Woody". The letters are cursive and slightly slanted to the right.

Woody White

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